

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

INVESTIGATION INTO THE OPERATING)	CASE NO. 10339
STATUS OF ALBANY GAS COMPANY)	

O R D E R

On June 26, 1986, the City of Albany, Kentucky, confirmed by letter to the Commission that it had assumed operations of the Albany Gas Company as part of its own system. The letter was in response to a Commission letter dated February 26, 1986 requesting confirmation of the proper owner. This action was done without prior Commission approval in violation of KRS 278.020(4).

After consideration of the record, the Commission FINDS that

(1) This case should be established to recognize the City of Albany as the operator of the former Albany Gas Company. While Albany Gas Company failed to submit an application requesting Commission approval of the transfer pursuant to KRS 278.020(4), Commission Staff has determined that the transfer occurred in March, 1988.

(2) Based upon the fact that the transfer has occurred and the City of Albany has been operating the system for approximately 2 1/2 years, no action should be taken for Albany Gas Company's failure to obtain prior approval.

(3) The City of Albany is not a public utility under our jurisdiction pursuant to KRS 278.010

(4) Albany Gas Company should be removed from our records as an operating public utility.

BE IT SO ORDERED.

Done at Frankfort, Kentucky, this 5th day of August, 1988.

PUBLIC SERVICE COMMISSION

Richard D. Hemmick
Chairman

Robert M. Davis
Vice Chairman

Spencer W. Williams
Commissioner

ATTEST:

Executive Director